UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA

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MAY VANG, SHANI BURLEW, and all others similarly situated,

Plaintiffs,

v.

BURLINGTON COAT FACTORY WAREHOUSE CORPORATION, a New Jersey corporation; BURLINGTON COAT FACTORY OF CALIFORNIA, LLC, a California limited liability company,

Defendants.

CASE NO. 09-CV-08061-CAS (JCx)

STIPULATION AND PROPOSED ORDER CLARIFYING SCOPE OF CLASS RELEASE AS TO CLASS MEMBERS' CLAIMS ARISING FROM THEIR EMPLOYMENT AS STORE MANAGERS

IT IS HEREBY STIPULATED, by and among Named Plaintiffs May Vang and Shani Burlew on behalf of themselves and all others similarly situated and Defendants Burlington Coat Factory Warehouse Corporation and Burlington Coat Factory of California, LLC, subject to the approval of the Court, that Paragraph 29 ("Released Claims") of the Stipulation and Settlement Agreement of Class Action Claims shall be clarified as follows and that the instant clarification shall be incorporated into the Final Order and Judgment:

The "Released Claims" of Class Members employed as Store Managers arising from their employment by Defendants in California during such times as they were employed as Store Managers shall be limited to claims related to the alleged forfeiture of Management Recognition Days and/or Personal Days, whether the claims are phrased as vacation pay or otherwise.

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| 3 | | May Vang |
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| 5 | | Shani Burlew |
| | Dated: | THE SPIVAK LAW FIRM |
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| 8 | | $\mathbf{B}\mathbf{y}$ |
| 9 | | David Spivak Attorneys for Plaintiffs |
| 10 | | |
| 11 | Dated: | DEFENDANTS BURLINGTON COAT FACTORY |
| 12 | | WAREHOUSE CORP. AND BURLINGTON COAT |
| 13 | A STATE OF THE STA | FACTORY OF CALIFORNIA, LLC |
| 14 | ere entitle eretiteten er | By |
| 15 | | Paul C. Tang |
| 16 | | General Counsel |
| 17 | Approved as to Form: | COUNSEL FOR DEFENDANTS ORRICK, HERRINGTON & SUTCLIFFE, LLP |
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| 18 | Dated: 10 10 10 10 10 10 10 10 10 10 10 10 10 | By |
| 19 | | Jessica R. Perry Attorneys for Defendants |
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| 5 | ' ' | Shani Burlew |
| 6 | Dated: | THE SPIVAK LAW FIRM LAW OFFICES OF SHAUN SETAREH |
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| 9 | | By |
| 10 | | Attorneys for Plaintiffs |
| 11 | Dated: | DEFENDANTS |
| 12 | | BURLINGTON COAT FACTORY WAREHOUSE CORP. AND BURLINGTON COAT |
| 13 | | FACTORY OF CALIFORNIA, LLC |
| | | |
| 14 | | ByPaul C. Tang |
| 15 | | General Counsel |
| 16 | Approved as to Form: | COUNSEL FOR DEFENDANTS |
| 17 | | ORRICK, HERRINGTON & SUTCLIFFE, LLP |
| 18 | Dated | 17- |
| 19 | Dated: | By |
| 20 | | Attorneys for Defendants |
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| | STIPULATION AND PROPOSED | ORDER CLARIFYING SCOPE OF CLASS RELEASE AS TO CLASS MEMBERS' CLAIMS EMPLOYMENT AS STORE MANAGERS - CASE NO. 09-CV-08061-CAS (JCX) |
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271572-1

| 1 | | NAMED PLAINTIFFS |
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| 3 | | May Vang |
| 4 | Dated: | |
| 5 | | Shani Burlew |
| 6 | Dated: | THE SPIVAK LAW FIRM LAW OFFICES OF SHAUN SETAREH |
| 7 | | LAW OFFICES OF LOUIS BENOWITZ |
| 8 | | |
| 9 | | By David Spivak |
| 10 | | Attorneys for Plaintiffs |
| 11 | Dated: | DEFENDANTS |
| 12 | | BURLINGTON COAT FACTORY WAREHOUSE CORP. AND BURLINGTON COAT |
| 13 | | FACTORY OF CALIFORNIA, LLC |
| 14 | | _ |
| 15 | | Paul C. Tang |
| 16 | | General Counsel |
| 17 | Approved as to Form: | COUNSEL FOR DEFENDANTS ORRICK, HERRINGTON & SUTCLIFFE, LLP |
| 18 | M 10 2011 | |
| 19 | Dated: May 18,2011 | By Jessica R. Perry S.C. |
| 20 | | Jessica R. Perry Attorneys for Defendants |
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